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January 24, 2000

Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

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**Re: Access Charge Reform
CC Docket No. 96-262; CCB/CPD File No. 98-63
Ex Parte Meeting**


Dear Ms. Salas:

On January 21, 2000, David Schmidt, Heart of Iowa Communications, Inc.; Rick Vergin, CTC Communications, Inc.; Gerry Anderson, Mid-Rivers Telephone Cooperative and David Cosson met with Jordan Goldstein of Commissioner Ness' office to discuss the position of the Rural Independent Competitive Alliance (RICA) filed in CC Docket 96-262.

The discussion focused on the public benefits provided by the rural CLECs in areas where the large incumbents have not invested in modern facilities, the refusal of AT&T and Sprint to pay rural competitive local exchange carriers (CLECs) for access service at the rate specified in the CLEC tariffs; the need for enforcement action regarding the violations of several sections of the Communications Act, and the anti-competitive leveraging of the power of large interexchange carriers which are also entering into local exchange service. It was noted that while MCI has generally not agreed with the AT&T/Sprint position to date, that its position could change upon merger with Sprint. The representatives of RICA stressed that prompt action by the Commission is necessary for rural CLECs to continue to provide subscribers with competitive alternatives.

A copy of the handout used in the meeting is attached. Please contact me if there are any questions regarding this matter.

Sincerely yours,


David Cosson

Attachment
cc: Jordan Goldstein

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RURAL INDEPENDENT COMPETITIVE ALLIANCE

**POSITIONS ON CLEC ACCESS
CC DOCKET NO. 96-262**

- Rural CLECs provide significant public benefits by offering improved service in rural areas
- IXC's cannot unilaterally refuse to serve CLEC customers
- IXC's have an adequate remedy for excessive rates
- IXC's should not be allowed use access rate leverage to improve the competitive position of their own local services
- There is no basis for an assumption that CLEC access charges in excess of the ILEC rates are unreasonable
- The differential may not be shifted to end users in violation of section 254(g)
- Rates at or below a *valid* benchmark should be presumed reasonable
- Rural CLECs need an efficient means to enforce the *MGC* decision
- Mandatory detariffing should not be required
- The need for Commission action is urgent



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